UNITED NATIONS

HRI

International Human Rights Instruments

Distr.
GENERAL

HRI/CORE/1/Add.12 */
21 September 1992

ENGLISH
Original: SPANISH

CORE DOCUMENT FORMING PART OF THE REPORTS OF STATES PARTIES

MEXICO

[21 July 1992]

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GE.92-18608

*/ Re-issued for technical reasons.

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I. LAND AND PEOPLE

1. According to the results of the eleventh general population and housing census, the population of Mexico is 81,140,922, 49.1 per cent of whom are male and 50.9 per cent female. On the basis of these figures, the population density is 41.25 inhabitants per km^2.

2. Males aged under 15 account for 19.4 per cent of the population and females 18.9 per cent i.e. 38.3 per cent of the total. The male population aged over 65 represents 1.9 per cent and the female population 2.3 per cent, i.e. only 4.2 per cent of the total. The rest of the population, i.e. 57.5 per cent, is aged between 16 and 64.

3. The population growth rate declined gradually from 3.2 per cent in the period between 1950 and 1970 to 2.6 per cent in the last two decades, 1970-1990. It is expected that this downward trend will continue and that, by the last five years of the century, population growth will have dropped to 1.8 per cent. Consequently, it is estimated that, in the year 2000, Mexico's population will be slightly over 100 million.

4. In 1950, the life expectancy of a newborn Mexican was, given prevailing health conditions, 47 years. Nowadays, thanks to the benefits of the country's development, the generation of Mexicans born in 1990 may expect to live for approximately 70 years, 23 more than in 1950.

5. Both the crude death rate and infant and maternal mortality have declined and show a steady downward trend. According to the Ministry of Health, mortality levels have declined significantly as a result of Mexico's development. Infant mortality is a highly sensitive indicator and is closely linked to socio-economic factors. The infant mortality rate is 25 below the age of one year per thousand live births. The maternal mortality rate has fallen steadily. In the 1980s, it was below 10 per 10,000 live births. In 1980, the percentage was 9.5 and, by 1987, it had fallen to 5.5. The main causes of maternal mortality are: complications during labour, complications during pregnancy, abortion and complications during normal childbirth.

6. The fertility rate, based on the total number of children born live to women aged over 12, was an average of 2.5 children per woman in 1990.

7. The urban population is 57,959,791. The country has 2,586 towns which have 2,500 inhabitants or more and which make up only 1.7 per cent of the total number of towns, but which account for 71.3 per cent of the population. Mexico's main cities are Mexico City, with a population of 17 million; Guadalajara with 3.8 million; and Monterrey with 3.1 million. Almost one third of Mexico's population lives in these cities. The 1990 census also identified 154,016 rural towns with fewer than 2,500 inhabitants, representing 98.3 per cent of the total number of towns and only 28.7 per cent of the population or 23,289,924 persons.

8. The economically active population is composed of 24,063,283 persons aged 12 and over, i.e. 43 per cent of that age group. Mexico's labour force has been increasing at an average annual rate of 1.6 per cent. The primary sector occupies 22.6 per cent of the employed population, the secondary

sector 27.9 per cent and the tertiary sector 46.1 per cent. The predominance of young people in the population pyramid is reflected in the structure of the labour force.

9. According to the 1990 census, employment increased slightly in comparison with 1970, from 96.2 per cent to 97.3 per cent. The annual unemployment rate was 2.8 per cent and, until the first half of 1991, 2.5 per cent. Unemployment was higher among women than among men, the percentages being 2.9 per cent and 2.5 per cent.

10. In 1989 and for the third consecutive year, Mexico's economy showed an increase in production. Gross domestic product (GDP) rose by 3.9 per cent in 1990 to a total of 5,236.3 billion pesos. In 1991, GDP increased by 3.6 per cent. In addition, per capita income rose by 2 per cent over 1990, to approximately $2,500 per year.

11. Despite Mexico's efforts, inflation remained high throughout the 1980s, reaching 159 per cent in 1987. In December 1987, the Government introduced the economic solidarity agreement (now called the stability and economic growth agreement) which combines restrictive and monetarist policies, the liberalization of trade and a price and wage agreement between the Government, workers and entrepreneurs and reduced inflation to 29.9 per cent in 1990 and to 19.9 per cent in 1991.

12. There was a change in development financing. Mexico contracted less external debt and obtained better terms from its international creditors for the existing debt. As a result, external debt fell from $107.5 billion in December 1987 to $67.5 billion on 31 December 1991.

13. One of the main elements of the strategy to bring about and consolidate the structural change in the economy was the renegotiation of the external debt, which was completed on 4 February 1990. The agreement made it possible to reduce the transfer of resources abroad, considerably to improve public finances and the balance of payments and to encourage productive investment and domestic saving. It also led to a favourable change in the conduct of the participants in the country's economic and financial activity.

14. According to the 1990 census, 87.1 per cent of the Mexican population between the ages of 6 and 14 is literate; if children aged under 8 are excluded, the figure is over 90 per cent. Literacy rates for the two sexes are similar, although they are slightly higher for women than for men. Since 1970, illiteracy has declined considerably in Mexico. In 1970, the illiteracy rate was 25.8 per cent, as against 12.4 per cent in 1990 (9.6 per cent of men and 15 per cent of women).

15. The official language in Mexico is Spanish. However, the 1990 census showed that 7.5 per cent of the population aged over five spoke an indigenous language. Of this figure, 80.2 per cent also speak Spanish and only 15.8 per cent are monolingual. The predominant indigenous language is Nahuatl (22.7 per cent), followed by Maya (13.5 per cent), Mixtec (7.3 per cent), Zapotec (7.2 per cent) and Otomi (5.3 per cent). The rest of the more than 40 other indigenous languages spoken in Mexico account for fewer than 5 per cent.

16. As far as religion is concerned, the results of the 1990 census show that the majority of Mexico's population is Catholic, which is the religion indicated by 89.7 per cent of respondents; 4.9 per cent said that they are Protestant, while 1.5 per cent have other religions, including Judaism, and 3.9 per cent said that they had no religion or did not say which one. Differences between the sexes in respect of religion are slight: 89.3 per cent of men and 90 per cent of women are Catholic; 4.7 per cent of men and 5.1 per cent of women are Protestant; and 1.5 per cent of men and 1.6 per cent of women are Jewish or have other religions.

II. GENERAL POLITICAL STRUCTURE

17. The Constitution of the United Mexican States provides that the country is a representative, democratic and federal republic composed of 31 states and a Federal District where the Federal Government is located. Power is exercised through the legislative, executive and judicial branches.

18. The President of the Republic heads the executive branch of government and is elected by direct popular suffrage for a non-renewable six-year term. For the performance of administrative functions, the executive branch has 17 ministries.

19. Legislative power is vested in the Congress, which is divided into two chambers. The Chamber of Deputies has 500 members who are elected for a three-year term and may not be elected for two consecutive terms. The Senate has 64 members, two for each state and the federal district. Senators are elected for a six-year period and may not be elected for two consecutive terms.

20. The 21-member Supreme Court heads the judicial branch of government.

21. The 31 states that make up the Republic are free, sovereign and autonomous. Each one has its own constitution and the same division of power as the national Government. The states are divided into municipalities, which are governed by municipal councils. Mexico City is governed by the Head of the Federal District Department, who is appointed by the President, and has an Assembly of Representatives with 66 members elected by direct suffrage.

22. Mexico has a wide range of political parties that reflect the different ideologies in the country. They are all legally registered and have to obtain at least 1.5 per cent of the total number of votes in order to continue to be registered. At present, six political parties are fully registered in Mexico: the Partido Revolucionario Institucional (PRI), the Partido Acción Nacional (PAN), the Partido Popular Socialista (PPS), the Partido Auténtico de la Revolución Mexicana (PARM), the Partido del Frente Cardenista de Reconstrucción Nacional (PFCRN) and the Partido de la Revolución Democrática (PRD). In recent years, the following parties have been established and registered conditionally because they have not obtained at least 1.5 per cent of the national vote in the elections in which they took part: the Partido Revolucionario de los Trabajadores, the Partido del Trabajo, the Partido Verde Ecologista Mexicano and the Partido Demócrata Mexicano.

Historical overview

23. The territory of what is now Mexico has been inhabited for at least 11,000 years. Centuries ago, it was part of the region known as Mesoamerica, where major civilizations such as the Olmec, Maya, Zapotec and Aztec, developed as from the third century A.D.

24. The colonial period began with the Spanish conquest, which started in early 1519 with the explorations carried out by Hernán Cortés and the establishment of Villa Rica de la Vera Cruz, the first European settlement in Mexico. Physical conquest was followed by spiritual conquest and the religious conversion to Christianity meant combating the age-old polytheistic beliefs of the indigenous civilizations.

25. The viceroyalty was founded when Antonio de Mendoza, the first representative of the Spanish monarch, was sent to Mexico in 1535. When the Bourbons acceded to the Spanish throne, a new territorial and administrative division of intendancies and mayoralties, was introduced for the purpose of bringing the viceroyalty under tighter control, but it also helped to increase unrest.

26. In the first few years of the nineteenth century, Napoleon's invasion of Spain encouraged the start of the struggle for independence. Once the struggle for political independence began, demands for social change were also made. After 10 years of fighting, independence was achieved only as a result of the agreement between Creoles and insurgents brought about in 1821 by Agustín de Iturbide, who proclaimed himself emperor one year later and was then overthrown by a military revolt in 1823.

27. The Republic was founded in January 1824. The federalist Constitution was promulgated in October and Guadalupe Victoria became President of Mexico. The decades to come were nevertheless a time of political infighting among the different factions. The federalists and liberals on one side and the centralists and conservatives on the other took power in a succession of coups d'état, thus preventing any overall Government policy from being fully implemented. This domestic situation, which was typical of a State in the making, was aggravated by foreign aggression: attempted reconquest, loss of territory, European intervention and invasion by the United States.

28. Domestic unrest was accompanied by the Indian war in Yucatán in 1847. However, the bloodiest civil war Mexico experienced following its independence was the Reform, which lasted three years and affected the entire country. It was the culmination of the fight between the conservatives and the liberals. War broke out with the promulgation of the 1857 Constitution, which provided implicitly for freedom of worship and empowered the Government to enact legislation relating to religion. In 1860, the liberals came out the winners, but the conservatives stayed on a war footing and gave their support to French intervention to establish an empire under Maximilian of Habsburg.

29. In 1863, the French army occupied the country's capital, where Maximilian founded the Second Empire in 1864 with the support of Napoleon III. Neither the empire nor the invaders ever successfully completed their occupation of the national territory and, in 1866, the withdrawal of the invading troops was

immediately followed by the defeat of the imperial forces and the capture and execution by a firing squad of Maximilian and the conservative generals Miramón and Mejía in July 1867.

30. With the triumph of the Republic, the country was consolidated as a nation and entered a period of stability with the implementation of the liberal programme. In 1876, Porfirio Díaz became president by means of a coup d'état and held power, except for the period between 1880 and 1884, until 1911. During this time, the country's economy grew considerably, but huge estates and enormous dispossessed rural masses also came into being.

31. Díaz's long period in power, the absence of democracy and the exploitation and impoverishment of large sectors of rural and urban society gave rise to considerable popular unrest which ended in the world's first social revolution this century. Díaz stepped down in 1911 and left the country. The acting president, Francisco León de la Barra, called elections that were won by Madero, who took office on 6 November 1911.

32. The Madero regime's foundations were undermined by various plots and he was assassinated in 1913. After the military coup, Victoriano Huerta took over the office of president. The revolutionary leaders who had collaborated in the overthrow of Porfirio Díaz again took up arms and set in motion a movement of unprecedented proportions.

33. The leader of the Constitutionalist Army, Venustiano Carranza, undertook to pacify the country. The that end, he convened a constituent congress which drafted and promulgated the new Constitution on 5 February 1917. The Constitution contained what were then pioneering social measures and provided a framework for action by the Governments that came after Carranza's.

34. In 1929, Plutarco Elías Calles proposed that a political body should be set up to centralize all political initiatives by military and civilian leaders and make it possible to consolidate peace and usher in a period of national reconciliation. The proposal led to the establishment of the Partido Nacional Revolucionario, which became the Partido de la Revolucíon Mexicana in 1938 and the Partido Revolucionario Institucional in 1946.

35. There were nine Governments in the period that followed. Lázaro Cárdenas (1934-1940) ordered the expropriation of the petroleum industry for the benefit of the nation; he also encouraged the establishment of worker and peasant groups which are still pillars of popular support for the Government.

36. President Manuel Avila Camacho (1940-1946) adopted a policy of national unity and rejection of national socialism which led to the declaration of war on the Axis powers during the Second World War.

37. The Government of Miguel Alemán Valdés (1946-1952) intensified the process of industrialization and the building of the infrastructure needed to modernize the country. Adolfo Ruíz Cortines (1952-1958) resolutely pursued the same policy and one of his Government's main achievements was its recognition of the right of women to vote.

38. Under the administration of Adolfo López Mateos (1958-1964), the electric power industry was nationalized and an outward-looking foreign policy was adopted to establish closer links with all the countries in the world.

39. Under Gustavo Díaz Ordaz (1964-1970), the construction of a highly developed communications and transport network continued and private enterprise was given every encouragement.

40. The "shared development" model was introduced during the term of office of Luis Echeverría Alvarez (1970-1976). The period was also characterised by intense international activity in connection with foreign policy.

41. The discovery and exploitation of major oilfields enabled President José López Portillo (1976-1982) to develop the Mexican economy. The subsequent drop in energy prices and the resulting world crisis also affected Mexico and brought about a sharp increase in its external debt.

42. Consequently, President Miguel de la Madrid (1982-1988) introduced an austerity plan to tackle economic problems through the Short-Term Economic Restructuring Programme and the National Development Plan. Other serious problems, such as the aftermath of the 1985 earthquakes, also had to be dealt with. However, there was no uncontrollable social unrest; the new mechanisms set up by the Government and the political reforms it brought about allowed for greater pluralism.

43. Carlos Salinas de Gortari became President in 1988 with a political platform aimed at modernizing the country and fully integrating it into the new international setting, both economically and politically. The programme hinges on the implementation of a modern policy, the decentralization of Mexican society and the liberalization of the economy to make the country more competitive. Three years into the programme, it is clear that major strides have been made in the economic sphere now that inflation has been checked and measures have been taken to boost non-petroleum exports. Enormous efforts have also been made to open up new markets and obtain better international terms for products of developing countries.

44. Mexico's foreign policy is based on principles which are rooted in its history and reflected in the provisions of its Constitution: self-determination of peoples, non-intervention, peaceful settlement of disputes, legal equality of states, international cooperation, prohibition of the threat or use of force and action to achieve world peace and security.

45. Mexico's international practice also includes other principles, which are shared by the overwhelming majority of nations and which are essential for the smooth functioning of relations among the members of the international community: sovereignty over natural resources, the right of asylum, international economic justice, the protection of human rights, respect for ideological pluralism, a democratic approach to decision-making in the international community and Latin American solidarity.

46. On the basis of these principles and precepts, Mexico has endeavoured to maintain good relations with all countries in the world. Its present foreign policy is characterized by its clear-cut objective of diversification to enable it to establish closer ties with all parts of the world, without restricting itself to any one of them and without any exclusive commitment to any bloc or common market. The aim of this international policy is to promote Mexico's interests throughout the world and to glean elements from other countries which Mexicans regard as important for playing an active role in the modern-day international community.

47. Mexico has thus established closer ties with Latin America, North America and the countries of Europe with which it has a common culture and traditions. It has also tried to establish closer relations with the Pacific region and the rest of Europe. In addition, it has appointed two roving ambassadors, one for Africa and one for the Caribbean, who will take part in the work of creating links with these two important regions.

III. GENERAL LEGAL FRAMWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

A. Judicial and administrative authorities with jurisdiction affecting human rights

48. The federal judiciary is composed of the Supreme Court of Justice, the collegiate and unipersonal circuit courts, the district courts, the Office of the Attorney-General of the Republic, the Office of the Government Procurator of the Federal District, the Office of the Government Procurator of the States of the Republic and the Public Prosecutor's Office.

49. The National Human Rights Commission (CNDH) is the main administrative body responsible for proposing and ensuring compliance with the national policy of respect for and the protection of human rights. To this end, it implements preventive, remedial and coordination measures to safeguard the human rights of Mexicans and of foreigners in Mexican territory; in the latter case, it acts in coordination with the Ministry of Foreign Affairs.

B. Remedies available to an individual who claims that any of his rights have been violated and systems of compensation and rehabilitation

50. The Constitution of the United Mexican States protects all human rights (individual guarantees) and the legislation regulating the relevant articles guarantees such protection. The legislation also offers a variety of remedies and procedures to ensure full protection of human rights.

51. If an individual alleges that his human rights have been violated, he must appeal to the appropriate authority for the appropriate remedies: in criminal cases, the appropriate remedies are reconsideration, complaint for refusal of leave to appeal and amparo; and in civil cases, reconsideration, appeal, special appeal, complaint, judicial liability and amparo. The complainant may also appeal to CNDH, which will provide him with advice on the legal measures available to him and on how to use them or, if all legal remedies have been exhausted, it will investigate the case and make a recommendation.

52. When the investigation leads to the identification of the offender, compensation may be claimed. For example, article 10 of the Federal Act for the Prevention and Punishment of Torture reads:

> "A person who commits any of the offences covered by this Act shall be liable for the legal, medical, funeral, rehabilitation and any other expenses incurred by the victim or his relatives as a result of the offence. He shall also be required to make good the damage and to provide compensation for the loss or injury suffered by the victim or his economic dependents, in the following cases:

I. Loss of life;

II. Impairment of health;

III. Loss of freedom;

IV. Loss of income;

V. Incapacity for work;

VI. Loss of or damage to property;

VII. Defamation of character.

In determining the corresponding amounts, the judge shall take account of the extent of the damage.

Under article 32, section VI, of the Penal Code for the Federal District in respect of ordinary law and for the Republic as a whole in respect of federal law, the State shall bear subsidiary liability for making good the damage."

C. Protection of the rights referred to in the various human rights instruments

53. Human rights are protected by articles 1 to 29 of the Constitution, from which derogation is possible in the event of invasion or serious disturbance of public order or for any other reason that places society in grave danger or at risk of conflict. Only the President of the United Mexican States may, with the agreement of the Ministers of State, the Administrative Departments and the Office of the Attorney-General of the Republic and with the approval of Congress or, if Congress is not in session, that of the Standing Committee, suspend, either throughout the country or in a particular place, the guarantees that are an obstacle to the prompt and smooth handling of the situation, but he may do so only for a limited time and by means of general measures so that the suspension does not affect a particular individual.

D. Way in which human rights instruments are made part of the national legal system

54. Article 133 of the Constitution states that all treaties which are in keeping with the Constitution and which have been or may be concluded by the President of the Republic with the approval of the Senate are the supreme law of the Union.

E. Can the provisions of the human rights instruments be invoked before, or directly enforced by, the courts or administrative authorities, or must they be transformed into internal laws or administrative regulations in order to be enforced by the authorities concerned?

55. In line with the answer given in the preceding paragraph, human rights instruments become part of internal law as soon as they have been ratified by the Senate. The courts of each state will rule on the basis of the

Constitution, laws and treaties, notwithstanding any provisions to the contrary that may exist in state Constitutions or laws.

F. Institutions or national machinery with responsibility for overseeing the implementation of human rights

56. The National Human Rights Commission, which was set up in June 1990, is the institution responsible for overseeing the implementation of human rights throughout the country.

IV. INFORMATION AND PUBLICITY

57. The Government of Mexico has made efforts to inform the population of the rights contained in the various human rights instruments. CNDH has published documents, some in indigenous languages, to promote respect for human rights as part of its programmes relating to: complaints, indigenous affairs, the prison system and the protection of children and migrant workers.

58. In Mexico's education system, primary schools use a free textbook issued by the National Technical Council on Education. During its fourth semester of activity, the National Human Rights Commission transmitted a document to the Council entitled "Human rights in the free textbook: a proposal". The Council is contributing to the "ongoing project to enhance civic awareness in primary schools".

59. During that semester, 142 human rights training courses were provided, with a total of 543 course/hours for 19,461 participants, an increase of 317 per cent over the previous semester. The courses were attended by persons from various social sectors and by federal, State and municipal officials. Two video training tapes were produced on research techniques and "Human rights and the National Human Rights Commission". The second tape, which lasts 18 minutes, is broadcast daily on television throughout the country.

60. During the semester, the National Commission also organized five symposiums and seminars and two diploma courses with academic establishments, as well as the first series of films on Mexican prisons. It continued to place great emphasis on its publications programme, which includes the Sunday supplement to the El Nacional newspaper, weekly Radio Educación and Radio Universidad Nacional Autónoma de México coproductions and, in particular, the publication of 51 new works, 1,170,000 copies of which were distributed.

61. Generally speaking, CNDH successfully carried out 95 per cent of its publications programmes and, in some cases, went beyond the targets set.